

PUBLIC MATTER

FILED

DEC - 5 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR OF CALIFORNIA
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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case No. 16-O-12139; 16-O-12892
SHANT OHANIAN,) NOTICE OF DISCIPLINARY CHARGES
No. 281652,)
A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
THE STATE BAR COURT TRIAL:

- (1) YOUR DEFAULT WILL BE ENTERED;
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
AND THE DEFAULT IS SET ASIDE, AND;
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.



1 The State Bar of California alleges:

2 JURISDICTION

3 1. SHANT OHANIAN ("respondent") was admitted to the practice of law in the State of
4 California on January 3, 2012, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 16-O-12139
8 Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

9 2. On or about June 24, 2013, Barbara Mata employed Respondent to perform legal
10 services, namely to file and litigate a civil case against her former employer, which Respondent
11 intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of
12 Rules of Professional Conduct, rule 3-110(A), by failing to perform any services for which he
13 was retained on his client's behalf.

14 COUNT TWO

15 Case No. 16-O-12139
16 Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

17 3. On or about July 23, 2015 Respondent stated to his client, Barbara Mata, that her
18 claim against her former employer had settled for \$25,000, when Respondent knew or was
19 grossly negligent in not knowing the statement was false, and thereby committed an act
20 involving moral turpitude, dishonesty or corruption in willful violation of Business and
21 Professions Code, section 6106.

22 COUNT THREE

23 Case No. 16-O-12139
24 Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation/Forgery]

25 4. On or about July 23, 2015 Respondent provided to Barbara Mata a document that
26 Respondent represented to be a settlement agreement with her former employer, and that
27 contained a purported signature by the employer's attorney. Respondent had fabricated the
28 document and he had forged the signature. When Respondent gave the document to Mata,

1 Respondent knew or was grossly negligent in not knowing the document was fabricated and the
2 signature was forged, and thereby committed an act involving moral turpitude, dishonesty or
3 corruption in willful violation of Business and Professions Code, section 6106.

4 COUNT FOUR

5 Case No. 16-O-12139
6 Business and Professions Code, section 6106
[Moral Turpitude – Misrepresentation]

7 5. On or about September 4, 2015 Respondent provided to Barbara Mata a document
8 that Respondent represented to be a Notice of Entry of Default, which Respondent had
9 fabricated, when Respondent knew or was grossly negligent in not knowing the document was
10 fabricated, and thereby committed an act involving moral turpitude, dishonesty or corruption in
11 willful violation of Business and Professions Code, section 6106

12 COUNT FIVE

13 Case No. 16-O-12139
14 Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

15 6. On or about February 18, 2016, Respondent advised Barbara Mata that he had made a
16 wire transfer of \$125,000 into her personal account, when Respondent knew or was grossly
17 negligent in not knowing that he had not made the wire transfer, and thereby committed an act
18 involving moral turpitude, dishonesty or corruption in willful violation of Business and
19 Professions Code, section 6106.

20 COUNT SIX

21 Case No. 16-O-12139
22 Business and Professions Code, section 6106
[Moral Turpitude – Misrepresentation]

23 7. On or about July 23, 2015 Respondent provided to Barbara Mata a document that
24 Respondent represented to be a copy of a check from her former employer in the amount of
25 \$137,025.58, which Respondent had fabricated, when Respondent knew the check was
26 fabricated and knew or was grossly negligent in not knowing that the case had not settled, and
27 thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation
28 of Business and Professions Code, section 6106.

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COUNT SEVEN

Case No. 16-O-12892
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

8. In or about October, 2013, Narine Cates employed Respondent to perform legal services, namely to file and litigate a civil case against her former employer, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to perform any services for which he was retained on his client's behalf.

COUNT EIGHT

Case No. 16-O-12892
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

9. In or about October, 2015, Respondent stated to Narine Cates that her claim against her former employer had settled for \$77,000, when Respondent knew or was grossly negligent in not knowing the statement was false, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT NINE

Case No. 16-O-12892
Business and Professions Code, section 6106
[Moral Turpitude – False Pretenses]

10. On or about March 22, 2016, Respondent provided to Narine Cates a document that Respondent represented to be a check from her former employer in the amount of \$67,232.45, which Respondent had fabricated, when Respondent knew the check was fabricated and knew or was grossly negligent in not knowing that the case had not settled, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

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NOTICE - INACTIVE ENROLLMENT!

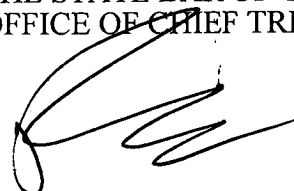
YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL



DATED: _____

17.5

2016

By: _____

R. KEVIN BUCHER
Senior Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 16-O-12139; 16-O-12892

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES



By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))

- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.



By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))



By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ("UPS").



By Fax Transmission: (CCP §§ 1013(e) and 1013(f))

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.



By Electronic Service: (CCP § 1010.6)

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.



(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)



(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,

Article No.: 9414 7266 9904 2010 0796 82 at Los Angeles, addressed to: (see below)



(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS,

Tracking No.: addressed to: (see below)

| Person Served | Business-Residential Address | Fax Number | Courtesy Copy to: |
|---------------|--|--------------------|--|
| SHANT OHANIAN | 600 S Lake Ave Ste 200 Pasadena, CA 91106 | Electronic Address | 600 S Lake Ave Ste 200 Pasadena, CA 91106 |

☐ via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: December 5, 2016

SIGNED:

Genelle De Luca-Suarez
Declarant